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Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

In the Matter of	)	
	)	
Proposed Reallocation of 420	)	
To 430 MHz and 440 to 450 MHz	)	RM 9267
From the Federal Government to	)	
The Private Mobile Radio Service	)	

TO: The Commission

COMMENTS ON PETITION FOR RULE MAKING

SUBMITTED BY
SOUTHEASTERN REPEATER ASSOCIATION, INC.
PO BOX 215
TOBACCOVILLE, NC 27050

May 29, 1998

Members of the Commission:

The SouthEastern Repeater Association, Inc., is incorporated in North Carolina and has qualified under IRS 501(c)3 to receive tax-exempt donations. The SERA's primary purpose is to coordinate amateur radio frequencies for mobile relay systems (called repeaters hereafter in this document), ATV and slow scan television repeaters, links and control channels, and auxiliary stations in the amateur radio service. Our organization is the nationally-recognized coordinator for eight southeastern states, including Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, approximately 90% of Virginia, and approximately
95% of West Virginia.

Our organization represents a paid membership of 3,164 amateur radio operators, including most owners/operators of 2287 repeaters in this part of the country.

Of those systems, we coordinate 798 repeaters which are on frequencies between 420 and 450 MHz. Virtually all of these repeaters are located in the 420-430 and 440-450 part of the spectrum. Although we have not kept accurate records on links and control channels, we do have recorded a total of 597 uses in this category, which records the link only. Usually a link or control channel has at least two transmitters and receivers, and often more. So the total number of transmitters in this category is certainly many more than 2,000.

The average investment per 420-450 MHz station is estimated to be in the range of $5,000, taking into account a transmitter and receiver, plus a power supply, antenna, filters, duplexer, feed line, engineering, construction, and other factors, a VERY conservative number when considering the possible relocation to spectrum which would not have the range of this frequency band,. This means that amateur radio operators have invested over $14 million just in our eight states for repeater systems only.

There are approximately 100,000 amateur radio operators in our eight states. Of those amateur radio operators, we estimate that 45% have the capability to use the 420-450 MHz frequencies. Using the estimate of an average investment of $1,000 per amateur radio operator (for equipment with this capability), and an estimated 45,000 users in our eight southeastern states (45% of 100,000), this means that there is another $45 million invested by individuals in order to be able to use these systems.

This is $59 million invested by members of the amateur radio service in less than eight total states in the Southeast! Factor this by the 700,000 amateurs in the United states and it comes out to 7x$59 million, or over $400 million. But many areas have much higher concentrations of 420-450 systems than the Southeast, particularly the Northeast, upper Midwest, and California. Therefore, when factoring these numbers for the entire United States, the numbers are very conservative.

The LMCC mentions amateur radio almost as a passing comment, as if this spectrum is something that the amateurs can give up since they are secondary to the Department of Defense on this band. They don't understand that most of our linking between repeater systems, on both a local scope and a multi-state scope, takes place between 420 and 440 MHz. These are uses which cannot be shared with pager and other land mobile uses without unworkable interference. These are uses which CANNOT be moved easily.

Should you ask your public, the amateur radio operator who donates his time to emergency communications in his community, to have to spend this money to move to another part of the spectrum, or worse yet, to lose this spectrum altogether? Most amateur radio operators have invested this money over a period of many years, and to have to spend thousands of dollars all at once would be an insurmountable financial burden for most. Because of this, amateur radio emergency communications capabilities would be severely hindered for an extended period of time.

The LMCC, in their petition, addresses Department of Defense use of these frequencies. Is the NTIA going to allow moving all of the military use off of this band? How much money will this cost taxpayers? They say that a reduction in military use is foreseen, but the military continues to become more and more sophisticated in their use of communications. Their usage will certainly not diminish. Certainly, in peacetime there is less usage, but what about wartime?

The LMCC uses examples of users who can't get any spectrum. These examples include New York, Los Angeles, and other mega-sized metropolitan areas which are exceptions to what is generally seen nationwide and should not be used as a basis for a nationwide reallocation of spectrum that would affect such a large user group as the Amateur Radio Service.

Many existing business users are abandoning their existing systems for cellular and SMR systems. You will find that because of this, the database is dormant or nearly dormant in many areas because PMLR licensees continue to file renewals for those systems despite not using them!

The LMCC petition suggests that perhaps the ARS and PMRS could share these two spectrum allocations. This is not technically feasible. The current arrangement within these allocations works because of a defacto "time-sharing" (peacetime/wartime) between the ARS and the Department of Defense. There would be no practical time-sharing between two user groups wanting to use the same spectrum in the same manner at the same time.

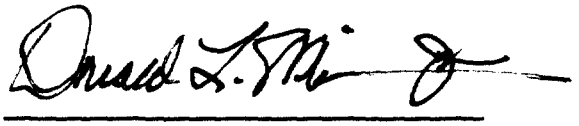
The Commission has already set a precedent in requiring the PCS industry to pay for replacement of equipment displaced in the 1.7-2.3 GHz band. DOD and Amateur radio deserve no less. Is the LMCC willing to pay for the Department of Defense to move their uses to other frequencies?

The amateur radio community is depended upon when emergencies occur, particularly floods, hurricanes, tornadoes, fires, and other natural disasters. Those are the times that cellular telephones bog down. Those are the

times that sophisticated commercial communication systems with one-point control are useless. Do you want to deprive our local emergency communications and public service personnel of versatile and reliable communication in times of emergency, when their dedicated systems fail?

We don't think you do. And we trust you to listen to your public and not to bow to commercial interests with agendas of profit. Protect your best asset when it comes to emergency communication in every city, town, and village in America. Make the only logical decision open to you. We ask that you deny the Land Mobile Communication Council's request by removing the Federal Government / Amateur Radio Service spectrum allocations of 420-430 MHz and 440 to 450 MHz from consideration in the LMCC Petition for Rule Making.

Respectfully submitted,



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